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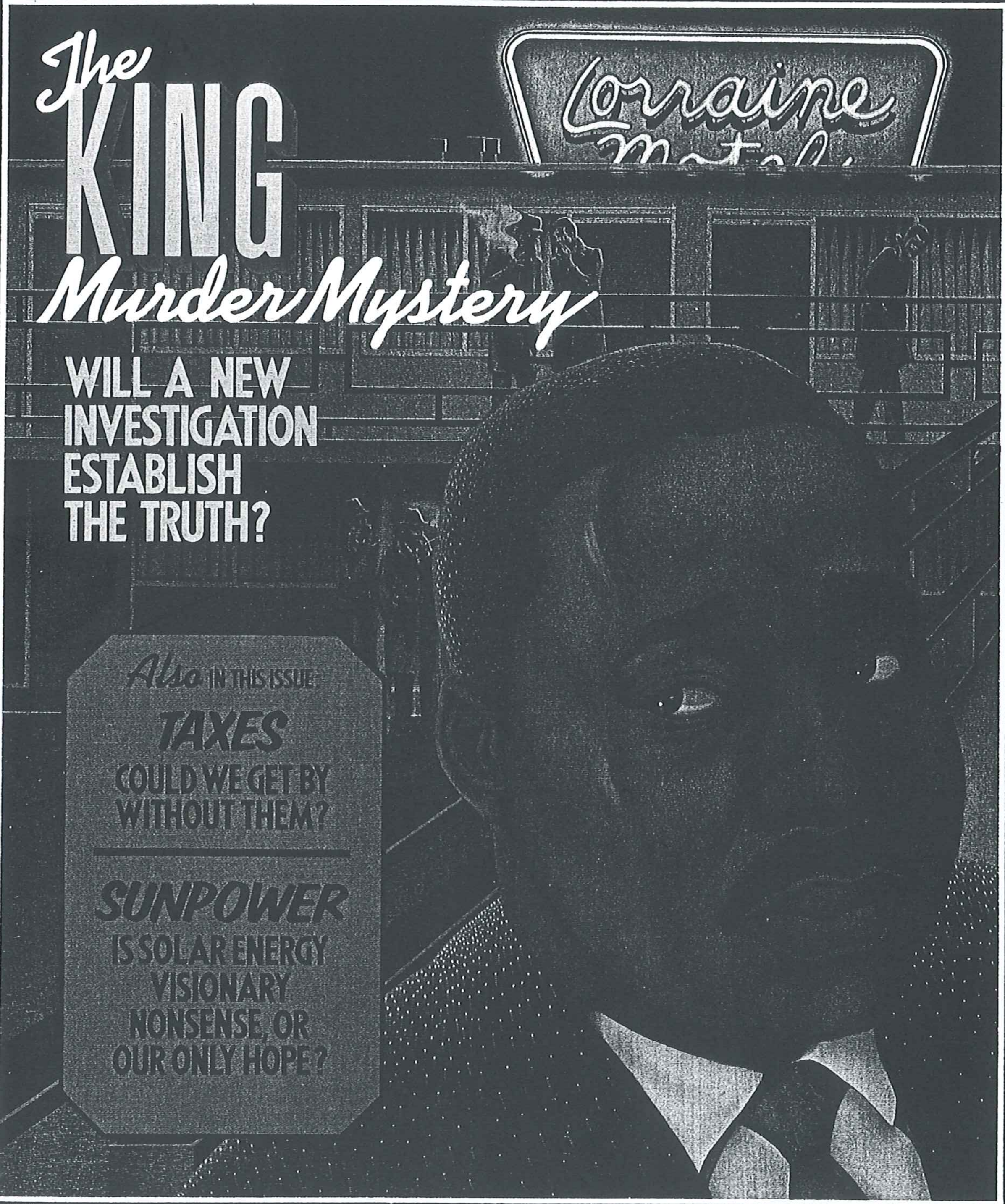

The KING Murder Mystery

WILL A NEW INVESTIGATION ESTABLISH THE TRUTH?

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COULD WE GET BY WITHOUT THEM?

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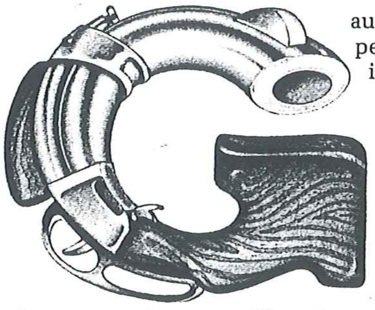
the king assassination

OPINIONS ABOUT A FACT



Gauging the prospects of a fresh investigation of the death of Martin Luther King would require the presumption of Jeane Dixon. The killing happened in 1968 and here we are in 1977 still not knowing whether to believe that the man who pleaded guilty to the crime really did it, or really did it alone. One can't say James Earl Ray was guilty merely because he pleaded guilty, because even before he was taken off to the Tennessee pen to serve his 99 years he was saying that he'd been forced by his attorney to make an unholy plea-bargaining deal. In court in 1969 there were intimations of conspiracy that made credible the suspicion abroad at the time that Ray was a hitman acting for a racist enemy or enemies of the man who to many Americans symbolized the civil rights struggle of the Sixties.

Public opinion polls, interesting as they are, prove nothing about who killed King. They do, however, explain why, even at this late date, it is possible to get 280 members of the House of Representatives to vote to create a committee to investigate the assassination of King and the killing of President Kennedy. Some 69 percent of us think Ray was not alone in killing King, if Ray was involved at all. But what do *we* know? Clearly, 69 percent of us are merely expressing an opinion, not based so much on evidence as on one's general disposition toward the official findings of government agencies — courts, commissions, and the rest. As Eric Sevareid would say if you asked him, the credibility of public institutions is at a low ebb.

Assassinations are a special case. So many theories have been propounded by so many authors who have made careers of critically examining the produce of blue-ribbon panels that the ordinary citizen exposed to a smattering of data and lots of argumentation is left to make what becomes almost a religious decision that, for example, Ray was or wasn't framed and did or didn't commit the murder, alone or at the instance of others.

Two congressmen, who believe without benefit of new investigations that a conspiracy existed in the killing of Kennedy, and the congressional Black Caucus, which wants Martin Luther King to have equal billing in any new inquiry, promoted committing what was going to be a two-year, 13-million-dollar, investigative operation headed by a man whom the *Washington Monthly* called "probably the best local prosecutor in the country" (the man being Richard Sprague and the locality Philadelphia). But even that's just the *Washington Monthly*'s opinion. *The New York Times* in the person of reporter David Burnham looked into Sprague's past as an assistant district attorney and found it troubling. Indeed, as time passed, enthusiasm on the Hill for this investigation subsided; Sprague's future looked bleak; the budget was in for cutting; and the whole investigation had a star-crossed quality about it. We heard someone wonder aloud whether, with such an inauspicious start, this official proceeding could come up with findings that would be believed by people who were skeptical about the result of the Warren Commission's work and the Ray trial in Tennessee. William Bradford Huie, Mark Lane and David Belin, whose words appear in the pages that follow, all have written books about either the King or Kennedy assassination. Lane has written a book about each. Richard Sprague, who participates with Belin in the *Skeptic* conversation, may have a book to write too by the time he's through with Congress. Contributing editor Ron Ridenour rounds out the section with a background piece on King.

The fact that in the end some things are unknowable does not militate against trying as best one can to learn the truth. It may matter that Americans know who killed Martin Luther King if it can be determined. Some people won't believe anything no matter how compelling the evidence. Huie "knows" Ray did it; Lane thinks a fair trial would have found him not guilty. Sprague was hired to try to find out who's right. And all he promised to do was try.

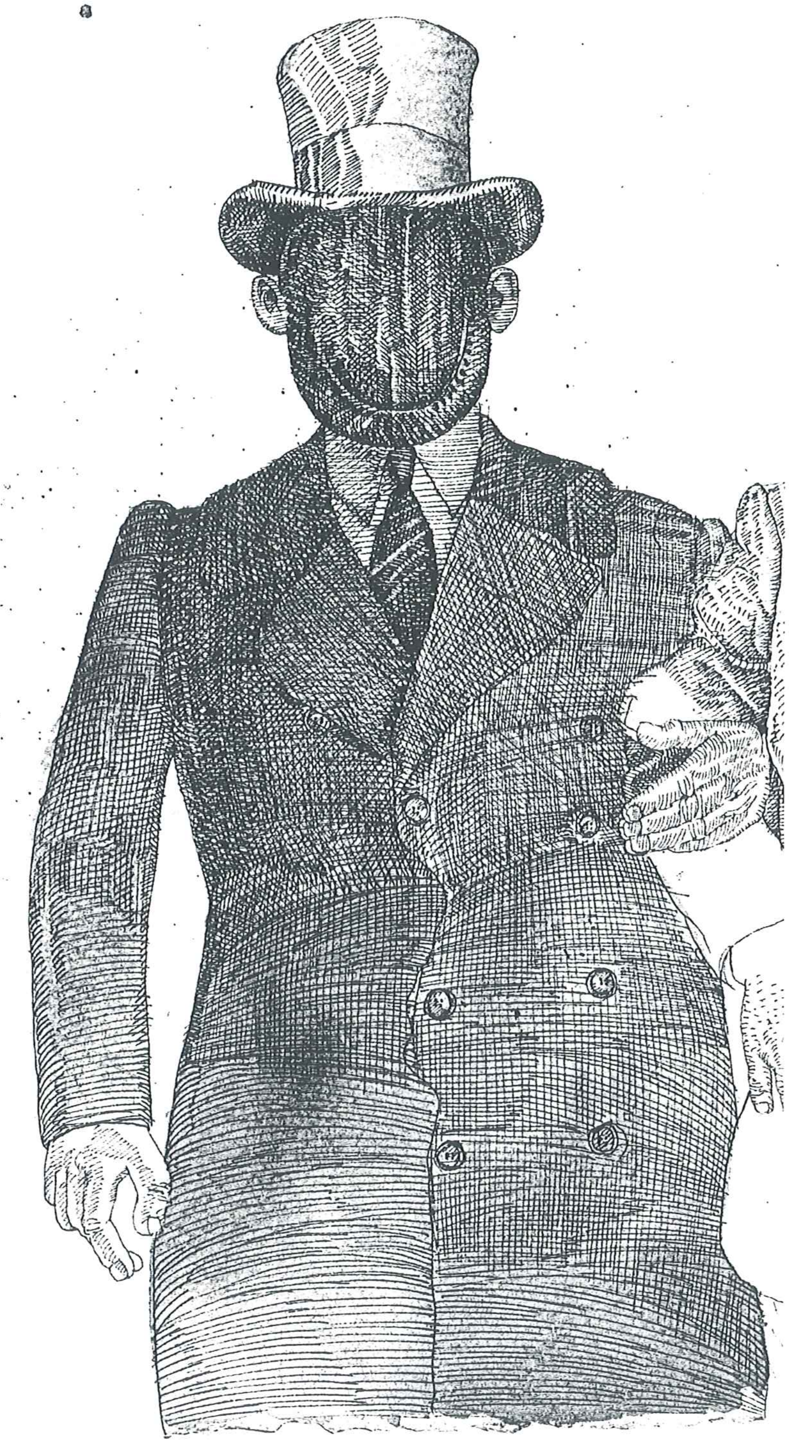
—David Sanford

ILLUSTRATION BY JOZEF SUMICHRAST

The Assassination of

KING WAS A MAN OF GOD, NONVIOLENCE, AND CIVIL RIGHTS. HE WAS ALSO A MAN WITH MANY ENEMIES.

BY RON RIDENOUR

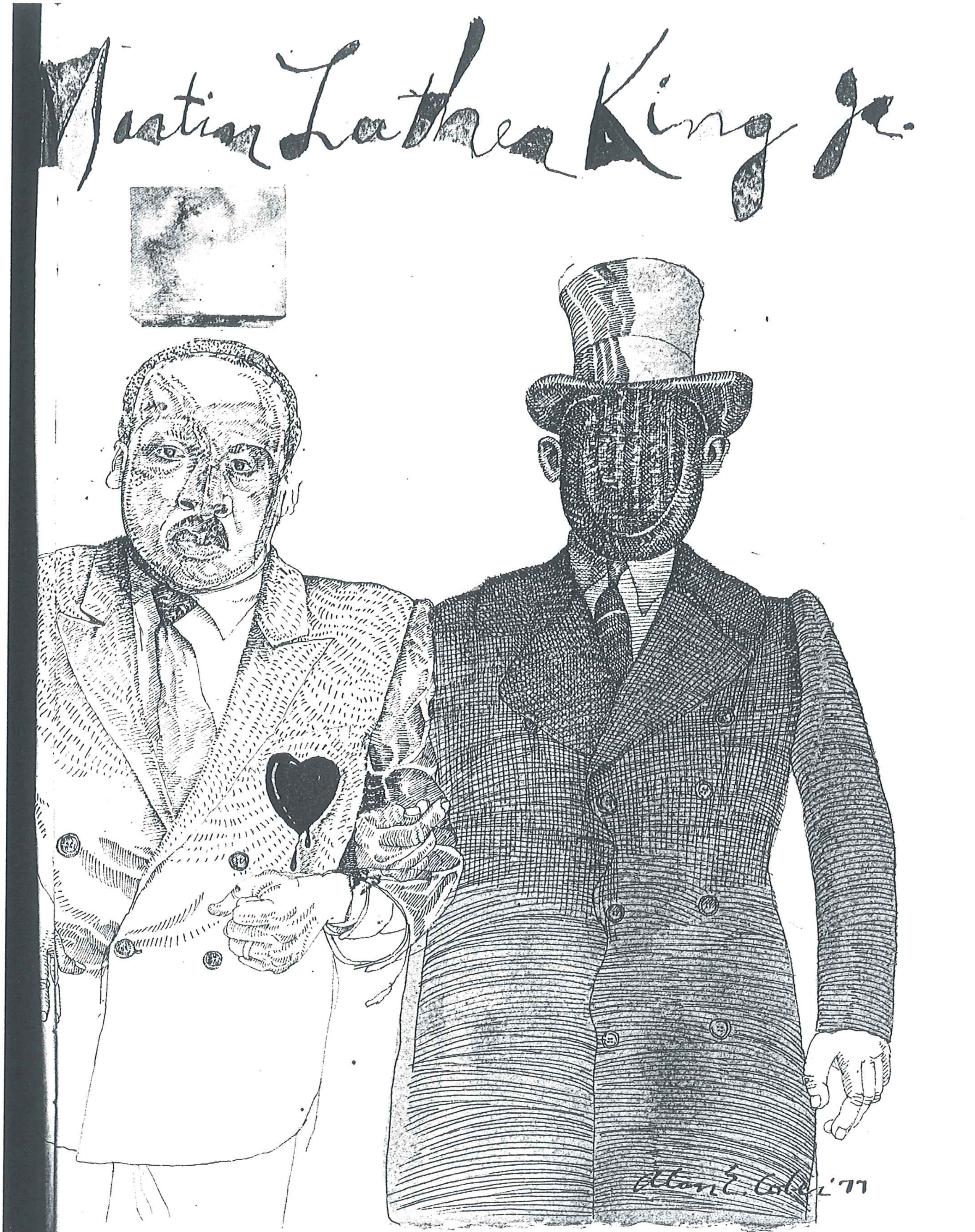


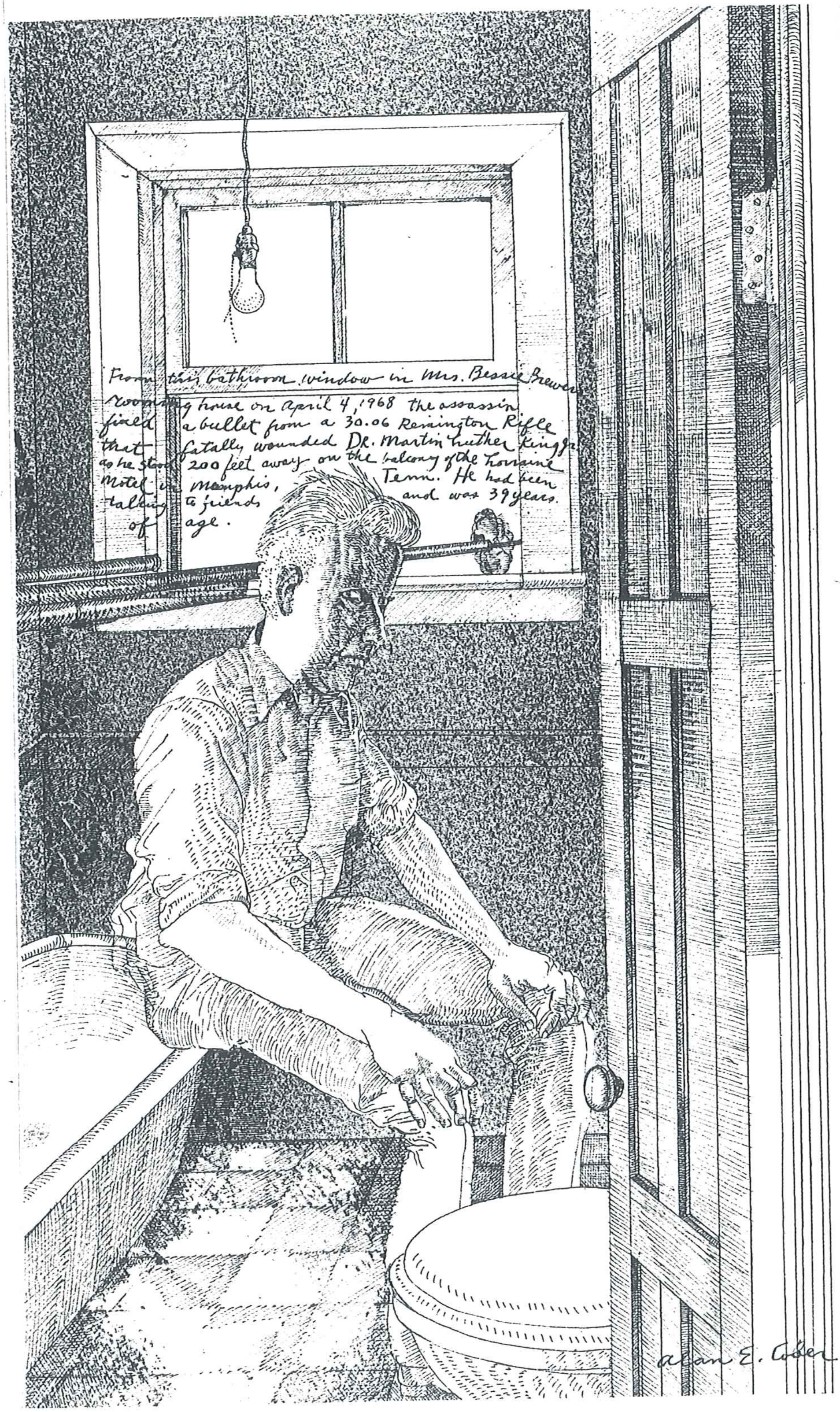
Martin Luther King, Jr. whose leadership of the civil rights movement had won him the 1964 Nobel Peace Prize, died in Memphis on April 4, 1968 at the age of 39. He was the victim of an assassin, who had aimed a rifle at King's head from the bathroom window of a rooming house about 200 feet away from the motel balcony where King was standing. King died an hour later on a hospital operating table.

To many it was not surprising that the "father of the sit-ins" would be killed by an assassin, but the shock set off a week of demonstrations and riots in 125 cities, the worst of them in Washington, DC; Baltimore; Kansas City, Missouri; and Chicago. Altogether, 46 people were killed (42 of them blacks); 2,600 people were injured; 21,270 were arrested (mostly for looting); as much as $70 million was lost in property damage (largely from fires); 55,000 troops were activated.

Martin Luther King was the 14th American and the third black man to win the Nobel Peace Prize. He earned it the hard way. He was arrested 16 times for his civil rights activities; he was stabbed in the chest; his home was bombed three times and he got almost daily death threats for a dozen years.

King's career as a reformer


Martin Luther King Jr.
Alan E. Cober '77

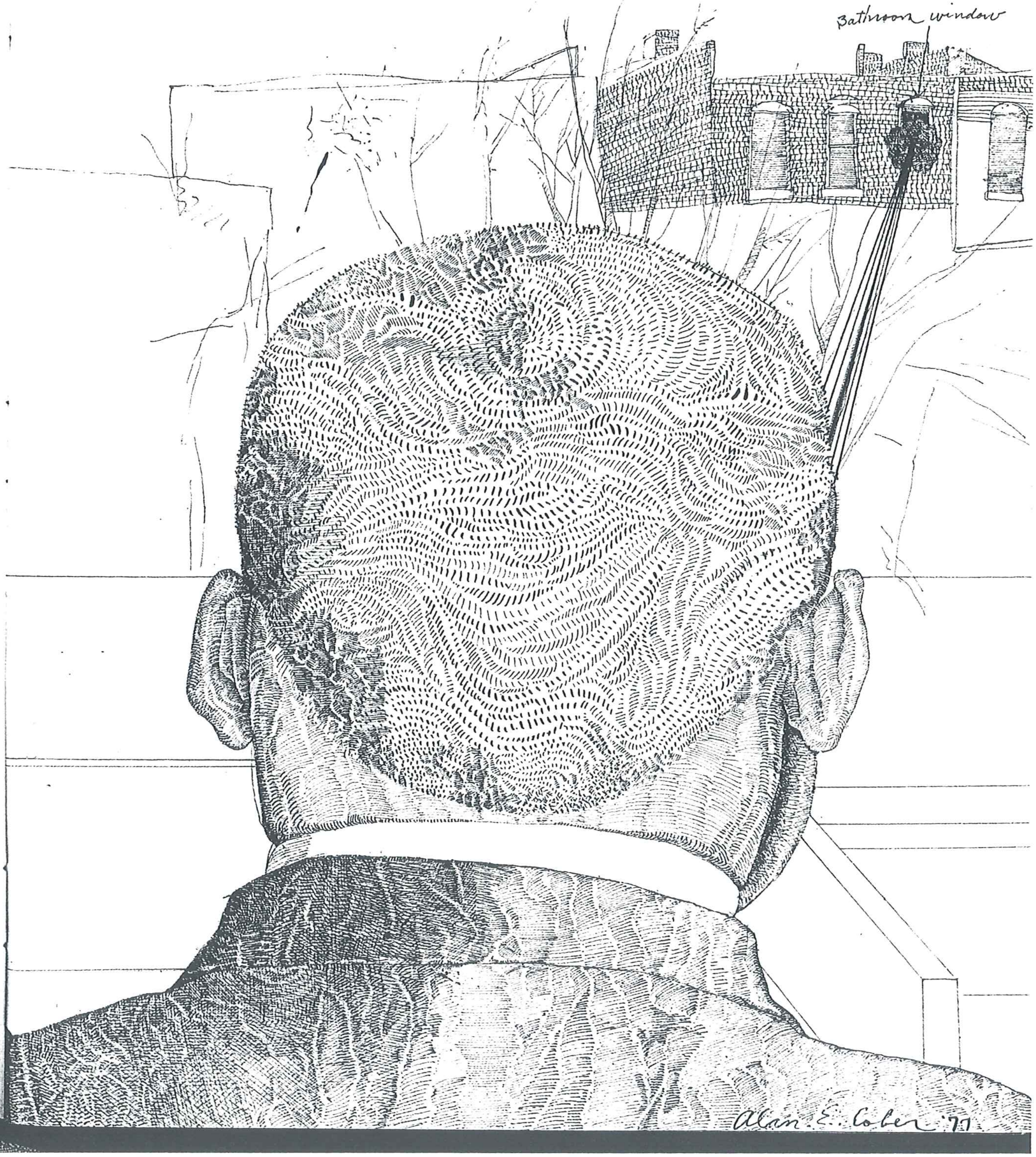


From this bathroom window in Mrs. Bessie Brewer's rooming house on April 4, 1968 the assassin fired a bullet from a 30.06 Remington Rifle that fatally wounded Dr. Martin Luther King Jr. as he stood 200 feet away on the balcony of the Lorraine Motel in Memphis, Tenn. He had been talking to friends and was 39 years of age.

began after he got his doctorate from Boston University. He became the preacher of the Dexter Avenue Baptist Church in Montgomery, Alabama, and in 1954 and 1955 he activated church committees on social and political issues and started a campaign to teach people to register to vote. The black community was not "activist," but when a 15-year-old girl was pulled off a city bus, handcuffed and jailed for not giving her seat to a white, the first talk of boycotting the buses was heard. There were no black bus drivers; black passengers were routinely harassed and mistreated, called vile names and sometimes jailed. In December 1955, when a seamstress named Rosa Parks was told to make room for a white person, blacks finally had had enough. A local minister asked King, Rev. Ralph Abernathy (who was then minister of the First Baptist Church), and other clergymen to a meeting. King proposed that the tactic and spirit of nonviolence be employed during the boycott that ensued. He was elected president of the leading group, The Montgomery Improvement Association.

"The once dormant and quiescent Negro community was now fully awake," King later wrote in his book, *Stride Toward Freedom*. Thousands attended church meetings to listen to the young minister from Atlanta. King was only 26 at the time, but he quickly earned the respect of blacks, and the white community saw him as a powerful opponent. Nevertheless, the bus company and the city council refused to accept any integration plan. King eventually was arrested, as were hundreds of others. His and other homes were bombed. Finally, on November 13, 1956, the day a local judge issued an injunction against the boycotters' car-pooling activity, the US Supreme Court ruled that the bus company's discriminatory practices were unconstitutional. Though the decision took some time to implement, throughout the South bus integration

Memphis, Tenn. 4/4/68 .... From 205 feet away a shot was fired by the sniper. It fatally wounded Dr. Martin Luther King Jr., who was standing on the balcony in front of his rented room, 306 in the Lorraine Motel.



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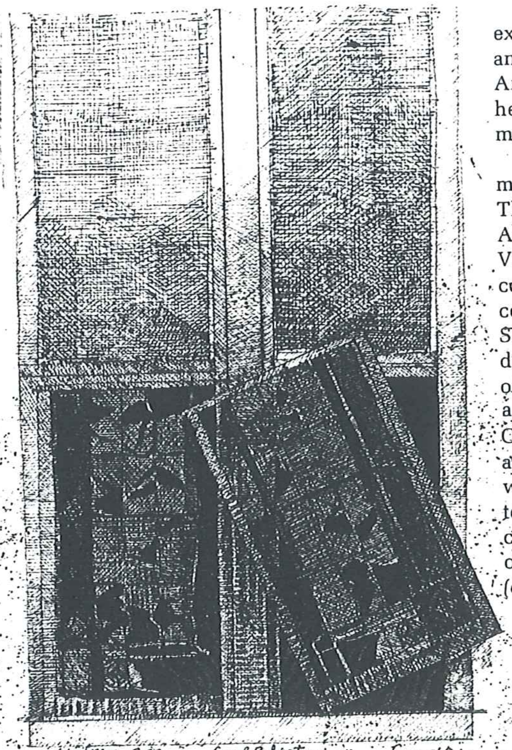

became the order of the day, and blacks had in King a national hero.

Martin Luther King moved to Atlanta where the Southern Christian Leadership Conference (SCLC) was created, with him as its president. He and the SCLC organized blacks to demonstrate nonviolently in the cause of integrating lunch counters, restaurants and schools; and there were black voters to register. In Washington, DC in 1963, 250,000 people heard King's "I have a dream" speech. By then King had become a world figure concerned about the root causes of poverty everywhere. He wrote: "We in the West must bear in mind that the poor countries are poor primarily because we have exploited them through political and economic colonialism. Americans in particular must help their nation repent of her modern economic imperialism."

King hoped to link up the movements for change in the Third World with those in America. He opposed the Vietnam war, to the distress of conservative blacks and to the consternation of politicians. Some say he moved in new directions in order to stay abreast of the young "black power" advocates, people like Stokely Carmichael. King understood the appeal black power had. But he was also a realist. He knew that ten percent of the population could not forcibly induce the other 90 percent to reform itself.

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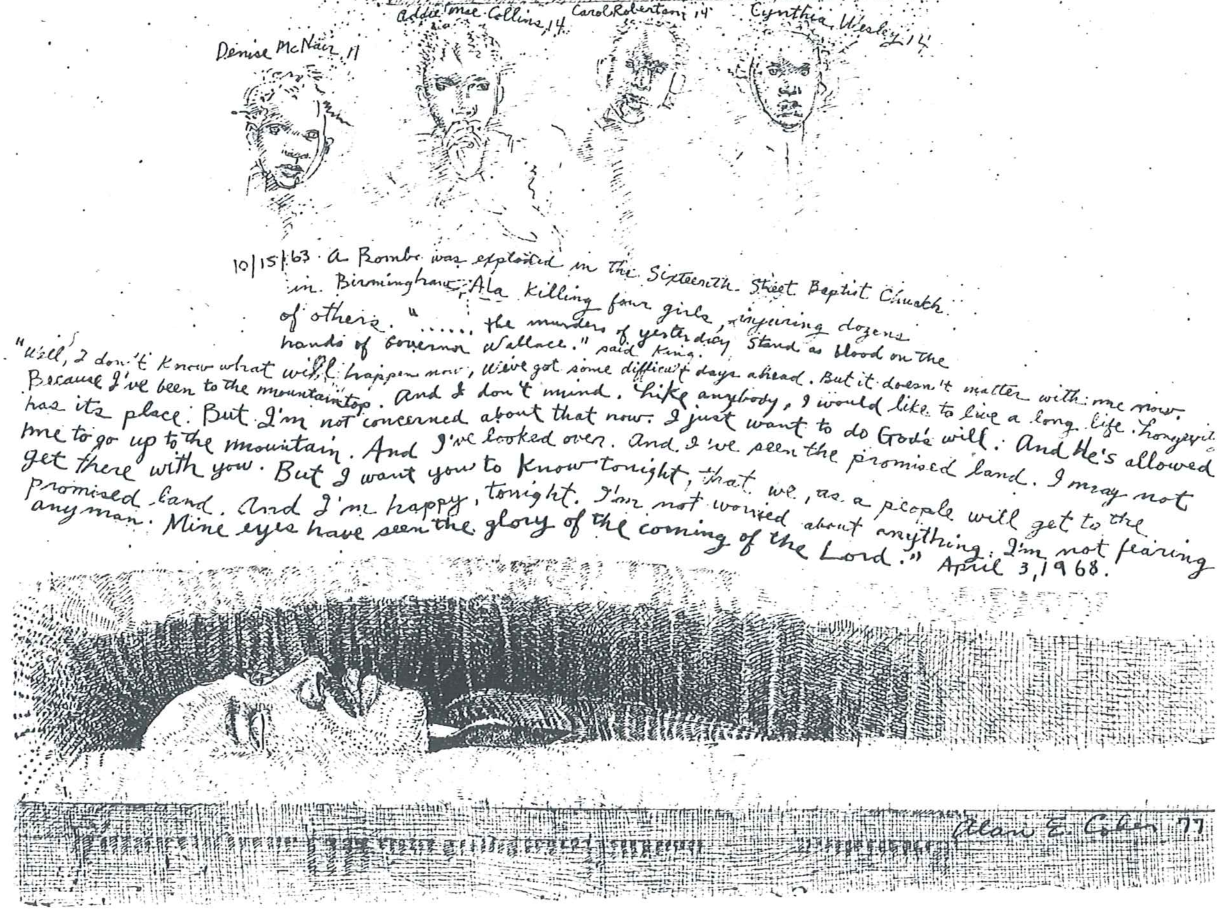
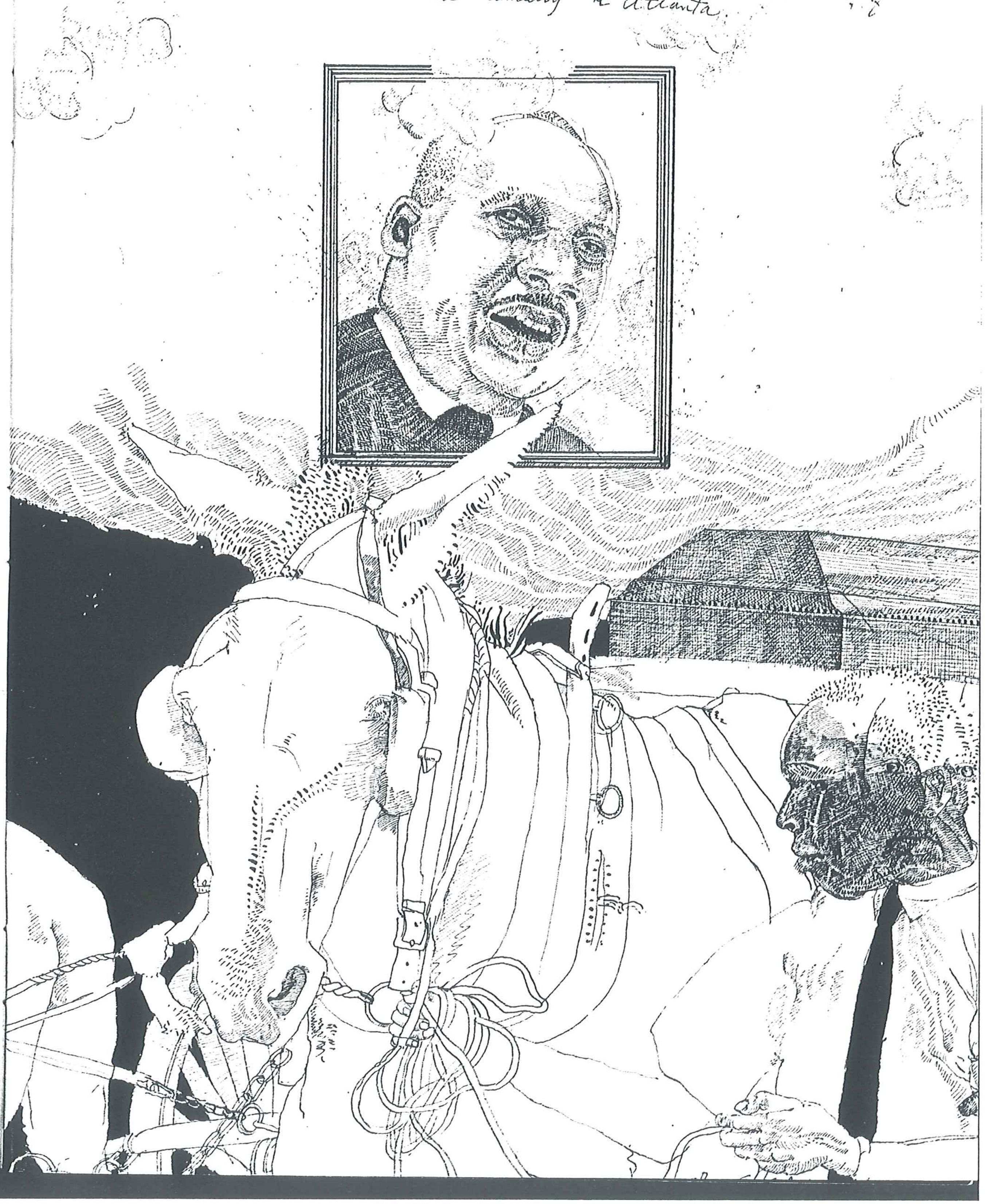


10/15/63 A Bombe was exploded in the Sixteenth Street Baptist Church in Birmingham, Ala killing four girls, injuring dozens of others. "..... the murders of yesterday stand as blood on the hands of Governor Wallace." said King.

"Well, I don't know what will happen now, We've got some difficult days ahead. But it doesn't matter with me now. Because I've been to the mountaintop. And I don't mind. Like anybody, I would like to live a long life. Longevity has its place. But I'm not concerned about that now. I just want to do God's will. And He's allowed me to go up to the mountain. And I've looked over. And I've seen the promised land. I may not get there with you. But I want you to know tonight, that we, as a people will get to the promised land. And I'm happy, tonight. I'm not worried about anything. I'm not fearing any man. Mine eyes have seen the glory of the coming of the Lord." April 3, 1968.

April 9, 1968 Atlanta, Georgia ..... the mule-drawn cart bearing the casket
of Dr. Martin Luther King Jr. plods along among many thousands of
marchers en route to South View Cemetery in Atlanta.



THE ASSASSINATION OF MARTIN LUTHER KING

(continued from page 18)

One of King's last acts was to plan a march on Washington to dramatize conditions among poor persons of all colors and to fight for a jobs program. He began to promote a $50 billion program that over ten years he believed could eliminate poverty. He put on blue jeans and a "black power" button and began organizing to bring 3,000 poor people to Washington.

As he was making his plans, garbage workers (mostly black) in Memphis, Tennessee were demanding better working conditions and the right to unionize. The mayor of Memphis gave them no ground. Tension was high when King flew into Memphis to lead a march. Some blacks were ready for the fight they knew was brewing. The local ministers were not organized to stop young rowdies from rioting. Demonstration leaders believed that police were hoping for violence in order to smear the campaign. Rocks and bottles flew. Police ordered demonstrators to disperse. (Which happened first is subject to dispute.) Billy clubs rained on people's heads. The riot lasted three hours; one youth was killed, 60 persons were injured and 280 arrested.

Some controversy followed the march-riot. Who was responsible? Should King pull out? He decided to stay; the garbage workers had to win. As King said, "Nonviolence is on trial in Memphis." Because there were death threats against him, the police watched King despite his refusal to allow armed security. He had told *Playboy* (in a January 1965 interview), "After a while, if your life is more or less constantly in peril, you come to the point where you accept the possibility (of being killed) philosophically. I must face the fact, as all others in positions of leadership must do, that America today is an extremely sick nation, and that something could well happen to me at any time. I feel, though, that my cause is so right, so moral, that if I should lose my life, in some way it would aid the cause."

The Hunt Begins

King had been dressing for dinner. In a few days he was to lead another demonstration in Memphis. King leaned over the balcony of the Lorraine Motel, the black-owned building to which he had moved after critics complained he was living high off the hog in the Holiday Inn. As he talked with aides awaiting him below, he was shot. Most witnesses and students of the assassination agree the bullet came from the upstairs bathroom in a rooming house across the street. Yet some witnesses claim they heard shots (or movement) from the bushes below the bathroom. No one saw the trigger pulled.

Witnesses said that a man dashed out of the bathroom and down the stairs, dropped his rifle in a box wrapped in a bedspread and drove away alone or, as other witnesses said, with another man. The "other man" theory has a mysterious French-Canadian named "Raoul" jumping into the car after *he* dropped the rifle package. This version has "Raoul" placing a white sheet over his head and then leaving the getaway car after a drive of eight blocks. A man, later identified as James Earl Ray, then drove on to Atlanta alone. After abandoning his car there, he made his way across the US to Canada where he eventually got a passport and flew to London. He lived there until he was arrested at the Heathrow Airport two months after the assassination. He had also been to Lisbon, allegedly seeking entry to Rhodesia to fight as a mercenary against black liberationists. There he might also avoid extradition.

Fingerprints left on the rifle led detectives to learn of Ray's identity and many aliases: Eric Starvo Galt, John Willard, Harvey Lowmeyer, John Ryan, Ramon George Sneyd and others. Investigators traced his movements from the time he escaped from the Missouri State Penitentiary, where he had been serving a 30-year sentence for robbery.

Soon after he was captured, he was extradited to Memphis where attorneys Arthur Hanes Sr. and Jr. took his case. Ray knew of Hanes Sr. for his defense of numerous Klansmen. Hanes, a former FBI agent, began to prepare a defense based on the claim that Ray was not guilty of murder. He tried to find the man who Ray said directed his movements for seven months. But he had little to go on, since Ray either knew little about "Raoul" or refused to reveal what he knew, or was lying. Hanes also tried to attack the credibility of witnesses. But Ray fired him just two days before the scheduled trial. He had been influenced by J. B. Stoner, an attorney associated with the National States Rights party, who was also a member of the Ku Klux Klan. Stoner believed Ray was the victim of a "communist conspiracy."

Ray's brother, Jerry, helped persuade Ray to hire the well-known attorney, Percy Foreman. Foreman had defended some 1,500 murder cases, losing only 62 of them. Soon after taking Ray's case, he recommended to Ray that he plead guilty. Foreman was convinced that Ray, acting alone, had murdered King and that, if he went to trial, a jury would convict him and he would be executed.

Lone Wolf or Cat's Paw?

On March 10, 1969, Ray pleaded guilty before Judge Preston Battle. He was sentenced to 99 years in the penitentiary. The next day, Ray wrote Battle that his attorney had been motivated only by money to take his case. Ray said Foreman forced him to plead guilty and that a conspiracy did exist in the King killing. Skeptics continue to conjecture about conspiracy. J. Edgar Hoover hated King, and had called him "the most notorious liar in the country." Just a month before King's assassination, Hoover, in a memo, instructed FBI agents to prevent the rise of a black "messiah." In addition to the FBI, King had many other enemies. Memphis businessmen and city officials were angry about his activities in support of the garbage workers; racists and segregationists obviously opposed his integration efforts; he had black militant competitors; personal enemies; powerful people in and out of government were distressed about the impending march on Washington.

An early book on the King murder written by Joechem Joesten, an American living in West Germany, *The James Earl Ray Hoax*, asserted that Ray was a dupe and a decoy whose rifle had been planted near the scene of the crime. Others, including investigator Harold Weisberg, who wrote *Frame-up*, speculated that conspirators helped Ray get out of prison so they could use him for the murder. Conspiracy theorists also wondered about:

- Ray's heavy spending prior to and after the murder. Where did his money come from?
- How he was able to develop the aliases and obtain the identification papers he used to travel so widely.
- Ray's persistent claim that he knew nothing of the murder plans, that "Raoul" had done the job without his knowledge.
- The fact that no Ray fingerprints were found in the room he supposedly rented from a landlady who cannot positively identify him as her tenant.

- The lack of ballistics tests taken of the supposed murder weapon.
- The absence of eyewitnesses to the shooting.
- Medical evidence allegedly pointing to the possibility of two separate wounds in King's face and neck.
- Why any fleeing assassin would deliberately leave his weapon behind in plain view.
- The absence of Ray's fingerprints in or on the Mustang getaway car.
- Why Judge Battle (who died soon after Ray pleaded guilty) didn't follow up on Ray's comment that there was a conspiracy. Battle told AP reporter Bernard Gavzer that he believed the full truth still was not known about James Earl Ray and the assassination.

No Doubt

While the doubters are numerous, others held to the official version: Ray acted alone. Such was the conclusion of at least four authors: Clay Blair (*The Strange Case of James Earl Ray*), William Bradford Huie (*He Slew the Dreamer*), Gerold Frank (*An American Death*), and George McMillan (*The Making of an Assassin: The Life of James Earl Ray*).

Those who contend Ray did it alone make the points that:

- Ray was capable of getting a Canadian passport since all one has to do is swear he is a citizen.
- He could have supported his travels with the fruits of his crimes.
- Ray was obviously proud, and often said that he was "involved" in the King murder; he enjoyed being on the FBI's "ten most wanted" list.
- Ray was a racist.
- Ray knew it would be easy to kill King because King was not guarded.
- Ray was motivated to kill King.
- If others were involved they would have silenced Ray long ago, killed him in prison.

Questions clearly remain to be answered, controversies resolved. Many persons and organizations called for an independent investigation of the slaying. Charles Morgan Jr. of the American Civil Liberties Union challenged the FBI's objectivity in investigating the murder since J. Edgar Hoover hated King. King's widow Coretta, Ralph Abernathy and the NAACP were joined in their doubts by Mississippi's Senator James Eastland who said he was skeptical that it had been the work of one man.

One of Ray's lawyers, a Memphis public defender, said he believed Ray had help preceding King's murder. (Attorney Foreman, of course, believed that Ray acted alone.) Scores of groups called for reopening the investigation, and Ray hired attorneys to file appeals for a new trial. His appeals all have been denied. In 1975 pressure to reopen the investigation heated up, prompted by Senate Select Committee on Intelligence revelations that the FBI had harassed and attempted to discredit Martin Luther King. It seems that between 1963 and 1968, the FBI recorded some 5,000 King conversations by using 16 separate wiretaps. The FBI sent anonymous notes and tapes to King and to his wife suggesting marital infidelity. A letter to King himself suggested he commit suicide; or so King thought when he read it.

Former Attorney General Edward Levi assigned Justice Department officials to review the FBI investigation of King's death. The Senate Intelligence Committee called for a special prosecutor to investigate possible crimes committed by the FBI and CIA. Although the Justice Department reported that it found no evidence that the FBI had acted in any "tangible conspiracy" or in complicity in King's murder, Assistant Attorney General J. Stanley Pottinger recommended a new inquiry.

The Black Caucus in Congress started a political drive for a new investigation. And Ramsey Clark, who as attorney general had said there was only one man involved, called for reopening the case. Encouraged by Coretta King, Congresswoman Yvonne Burke, chairperson of the Black Caucus, helped push through a compromise bill in the House of Representatives in September 1976 that appropriated $100,000 to hire a small, independent (of the executive branch) staff to conduct an investigation into the deaths of President Kennedy and Martin Luther King. Burke thought that the 12-person House Select Committee on Assassinations would eventually be able to reveal that others besides James Earl Ray were involved in the King killing.

Proponents of the view that the culprit has been caught claim that the current investigation is politically motivated and will not uncover anything of substance. Richard A. Sprague, the man the House hired to direct its investigation, planned an investigation independent of the FBI and CIA that could take the next two years to complete.

"Injustice anywhere is a threat to justice everywhere."

Martin Luther King, Jr.
Letter from Birmingham Jail,
1963